

MONDAY

JANUARY 13, 2020

The Governing Body of the City of Pratt met in Regular Session in the Commission Room located at City Hall.

PRESENT:	Gary Schmidt	Mayor
	Doug Meyer	Commissioner
	Don Peters	Commissioner
	Jason Leslie	Commissioner
	Zach Deeds	Commissioner

ALSO PRESENT:	Bruce Pinkall	City Manager
	LuAnn Kramer	City Clerk
	Regina Probst	City Attorney
	Diana Garten	Finance Director
	Nate Humble	Chief of Police
	Russell Rambat	Public Works Director
	Brad Blankenship	Building Inspector
	Jamie Huber	Director of Electric Utilities

CALL TO ORDER:

The regular meeting was called to order by Mayor Meyer. The Mayor instructed the City Clerk to note that all Commissioners were present.

Mayor Meyer reminded the audience that this meeting may be taped and/or recorded.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Commissioner Leslie led the audience and staff in the invocation and Mayor Meyer led the Pledge of Allegiance.

MINUTES:

- December 16, 2019 Regular Commission Meeting

Commissioner Peters made a motion to approve the minutes of the December 16, 2019 regular meeting. The motion was seconded by Commissioner Schmidt and carried unanimously.

CERTIFICATION OF NOVEMBER 05, 2019 CITY GENERAL ELECTION:

City Clerk Kramer read the election certification letter she had received from County Clerk/Election Officer Kruse confirming that Mr. Gary Schmidt and Mr. Don Peters had received a majority of the votes in the November 05, 2019 general election.

OATH OF OFFICE GIVEN TO NEWLY ELECTED CITY COMMISSIONERS:

City Clerk Kramer administered the Oath of Office to Commissioner Schmidt and Commissioner Peters and they took their place at the dais.

REORGANIZATION OF PRATT CITY COMMISSION:

- **Nomination for Mayor:**

Mayor Meyer made a motion to nominate Commissioner Schmidt as Mayor for 2020. The motion was seconded by Commissioner Peters and carried unanimously.

- **Nomination for Vice-Mayor:**

Mayor Schmidt stated that he would make a motion to nominate Commissioner Meyer as Vice-Mayor. The motion was seconded by Commissioner Peters and carried unanimously.

- **Designation of Official City Depositories:**

Finance Director Garten stated that the City had accounts with The Peoples Bank, Legacy Bank and First State Bank and she recommended that this continue for 2020. Commissioner Deeds made a motion to approve The Peoples Bank, Legacy Bank and the First State Bank as the Official City Depositories. The motion was seconded by Commissioner Leslie and carried unanimously.

- **Designation of Official City Newspaper:**

Mayor Schmidt stated that there had been some discussion on the designation of the City's official newspaper and The Pratt Tribune was aware and apologetic. City Attorney Probst stated that the Statute states that it did have to be a newspaper; however, as a City of the second class, we did not have to have the official newspaper within the County. Mayor Schmidt questioned if we knew the rates and about how many ordinances we needed published. Mayor Schmidt commented that large projects could be held up if there were time restraints and it did not publish for ten days or so. Ms. Probst stated that there would be about forty-two ordinance amendments with the City moving from an ordinance-based designation to global. Mayor Schmidt asked if we would be doing all of those at one time. Ms. Probst stated that we could do all of them at one time. City Clerk Kramer explained that The Pratt Tribune cost \$6.00 per column inch and The Hutchinson News was \$17.37 plus they charge for affidavits, which the Tribune did not. Commissioner Peters commented that he was hearing that it would be cheaper to stay with the Tribune.

Public Works Director Rambat stated that there were instances where we need to get information out quickly and this makes it difficult when there could be up to a ten day waiting period. Commissioner Peters asked about doing it online. Ms. Probst stated that we could do it online; however, it would still need to be published. Mayor Schmidt stated that The Hutchinson News had a three day turn around and The Tribune was about ten days. Mayor Schmidt added that some things were beyond their control. City Manager Pinkall stated that he had visited with the City Clerk and the worst would be a Thursday to a Wednesday, which might put us behind in tearing down a house, but we would not have to worry about that if it were an emergency. Mr. Pinkall suggested that the City support the local paper and stay with The Pratt Tribune. Mr. Pinkall added that maybe we could eventually use the website. Commissioner Peters questioned if we could change the official newspaper anytime. Ms. Probst stated that they could.

With no further discussion, Commissioner Peters made a motion to designate The Pratt Tribune as the official City newspaper. The motion was seconded by Commissioner Leslie and carried unanimously. Mayor Schmidt stated that we could also use the utility bills to get the word out. Mr. Pinkall added that we could use our website more to help with coverage. Mayor Schmidt stated that the City would like for

the paper to continue to send Ms. Brownell to the meetings. Ms. Brownell stated that there would be someone here, even if it was not her.

BUSINESS:

DISCUSSION ON LIVESTOCK DEFINITION:

City Attorney Probst asked that those living within the City limits were going to be able to address the Commission on the livestock issue; however, there would be a three-minute time limit for each person. Ms. Probst added that she would ask that everyone be treated with respect.

Mr. Joe Mills, 212 North Iuka Street, stated that he appreciated the time to speak and that he had gotten into the discussion a little late. Mr. Mills commented that the definition of poultry had been changed at a November Commission meeting and he had signed a petition that three hundred people had signed that wanted the ban on chickens lifted. Mr. Mills stated that he had received a letter from City Manager Pinkall and he appreciated that. Mr. Mills commented that he was concerned that they were banned, because some were pets or 4-H projects. Mr. Mills agreed that it would not be wise to have roosters in town.

Ms. Probst stated that there had been a wide misconception and she felt that was due to the misinformation in the article that was in the Pratt Tribune and there were many incorrect things in that article. Ms. Probst explained that the definition of livestock had not changed, but poultry had been added to the existing definition. Ms. Probst stated that the original definition had been in effect since 2001 or earlier and that definition included chickens. Ms. Probst clarified that the Commission had not suddenly banned chickens, because they had never been allowed. Ms. Probst stated that this all came about when there were two cases in Municipal Court and Judge Eisenhower had read the definition and stated that chickens were included, but ducks were not. Ms. Probst stated that that was why poultry had been added to the livestock definition. Ms. Probst commented that this had not come about because she wanted it and she would be glad to change it if that was what the Commission wanted. Ms. Probst added that this was complaint driven; therefore, if law enforcement did not have complaints, they were not going to go look in yards for forbidden animals. Ms. Probst clarified that law enforcement would have no reason for a citation if the chickens were clean and cared for and no neighbors complained. Ms. Probst stated that this enforces the ordinance that was already in place.

Ms. Anita Twiner, 80233 East Highway 54 stated that she was the poultry superintendent for the Pratt County Fair and there were advantages to having a few chickens and having your own eggs. Ms. Twiner explained that those eggs had 1/3 less cholesterol, three times more vitamin E, seven times more mega beta carotene, two times more omega, 1/4 less saturated fat and three times fewer fatty acids. Ms. Twiner added that store bought eggs had anywhere from seven to seventeen thousand pores and, when they were cleaned, the chemicals penetrate through those pores. Ms. Twiner stated that they were cleaned with anything from bleach, hydrogen peroxide, sodium carbonate or lye. Ms. Twiner added that the ones that you pay more for may not be cleaned like that. Ms. Twiner stated that lots of people want to have their own chickens and she had printed off some ordinances from other places. Commissioner Peters stated that that was very interesting. Commissioner Peters asked Ms. Twiner how she would feel about living next to someone who was not taking care of their chickens, because we could not do anything about it if we did not have restriction. Ms. Twiner stated that there needed to be some ordinance; however, by saying no to chickens, that punishes those that were doing what they should be. Ms. Probst stated that they had found out that a lot of people had chickens within the City limits, but they were not bothered. Ms. Probst explained that there was a case where a neighbor could not go out in his backyard to barbecue because of the smell of the roosters, ducks and chickens. Ms. Twiner commented that chickens require ten square feet of space per chicken and most cities did not allow roosters.

Commissioner Peters asked Police Chief Humble if the officers would issue a summons if there were complaints and if they would they get rid of the chickens. Chief Humble stated that they would be given a summons to appear in court. Commissioner Peters commented that, when the neighbor lodged another complaint, they would just continue to pay the fines. Ms. Probst stated that the Judge would eventually allow the officers to remove the animals through an Order to Remove.

Ms. Darcia Killingsworth stated that they were who the City Attorney had been talking about earlier and their cages were not filthy. Ms. Killingsworth commented that some people did not even know they had chickens before they had asked them to sign the petition, which they had no problem doing. Mr. Stan Killingsworth stated that animal control had been there three times and had no problem. Mr. Killingsworth stated that the City Attorney had stated that she had done research and that no other towns allowed chickens. Mr. Killingsworth mentioned that Kingman, Wichita and Medicine Lodge were a few that allow chickens, but no roosters. Mr. Killingsworth stated that the City Attorney had deceived the Commissioners and they were going to contact the Attorney General. Ms. Killingsworth stated that they clean the pens every two weeks and dispose of the straw out of town. Ms. Killingsworth commented that the police could come through anytime. Chief Humble clarified that they were written up for harboring livestock and not for the shape of the pens. Ms. Killingsworth stated that this was due to the neighbor being a grumpy old man. Ms. Probst stated that she took exception to the word deceived and her integrity was valuable. Ms. Probst commented that she had not deceived anyone and they could go back and read the minutes where she said that there were a number of cities in Kansas that did not allow chickens, but some cities did. Ms. Probst added that that was the discussion they had had.

Ms. Bren Jellison, 1017 West 8th, stated that she had purchased four ducks back in April for what was now her trade. Ms. Jellison commented that the idea of home studying and being able to provide for her family was everything she wanted. Ms. Jellison explained that being able to have eggs and meat for her family was rewarding. Ms. Jellison stated one of the ducks had passed away and it had been devastating. Ms. Jellison added that the ducks had become her pets and meant as much to her as cats and dogs do to others. Ms. Jellison stated that there was no law against them when she had purchased them. Ms. Jellison commented that she had a petition with signatures for people that support having these animals and, if taken care of, were incredibly rewarding.

Mr. Rod Graham, business owner in Pratt, stated that he wanted to remind the Commission that 4-H and FAA were part of agriculture and that was very valuable. Mr. Graham commented that, the way it was being put, it was illegal to have chickens in the City limits of Pratt; however, if there were no complaints, they were not going to be bothered. Mr. Graham stated that that was the wrong message to children that it was okay to have chickens as long as you did not get caught. Mr. Graham commented that there were kids that learn and grow from this process and agriculture. Mr. Graham added that home grown eggs were healthier.

Ms. Anita Mills, 212 North Iuka, stated that they had purchased chickens to help their children learn how to take care of themselves. Ms. Mills commented that it had taught her children so much and her eight year old loves her chickens. Ms. Mills explained that this was the only child of hers that had been in 4-H and this would impact her if she could not have them. Ms. Mills stated that she understood that it was a law now, but it needed to change with regulations that would allow chickens and ducks. Ms. Mills commented that she understood and respected those that it bothers, but dogs could be annoying also. Ms. Mills added that they had had chickens for the last five years and they run in her yard, which she keeps clean. Ms. Mills asked the Commission to think about changing the law with some restrictions.

Mayor Schmidt stated that the Commission would consider the conversations. Mayor Schmidt commented that it had been published and was now in court, so it had not been tested so to speak. Mayor Schmidt stated that it would be inappropriate to do something now.

CONSIDERATION AND APPROVAL OF BID FOR SIX STEEL LIGHT POLES FOR ANGOOD FIELD AT LEMON PARK:

Director of Electric Utilities Huber stated that he was anxious to get the lights for Angood Field at Lemon Park. Mr. Huber commented that the college girls play softball on Angood Field and should be able to again next season. Mr. Huber stated that there had been a lot of planning for this and he had spent the last few weeks driving around the park thinking about everything that leads into the park and getting it buried this season hopefully. Mr. Huber commented that he had sent out quotes to Stanion Wholesale Electric and Border States Electric. Mr. Huber explained that Stanion's bid was \$12,161.13 and Border States was \$12,033.60. Mr. Huber added that both bids had sales tax added. Mr. Huber stated that this money would be coming out of distribution's material line item. Mr. Huber explained that the Stanion bid was slightly higher; however, he would recommend purchasing the steel light poles from Stanion's using the 5% we allowed for local companies. Mayor Schmidt asked how long it would take to get them. Mr. Huber stated that it would be nine to twelve weeks. Commissioner Leslie made a motion to purchase six steel light poles for Angood Field from Stanion Wholesale Electric in the amount of \$12,161.13. The motion was seconded by Commissioner Meyer and carried unanimously.

OPEN AGENDA:

No one wished to address the Commission.

REPORTS:

City Attorney:

City Attorney Probst stated that it had been business as usual and that she had been working on the global ordinance.

Public Works:

- **Project with school:**

Public Works Director Rambat stated that he had met with the superintendent at the high school about creating an area where parents could pull off to drop off their kids. Mr. Rambat commented that it was a confusing area with all the age groups. Mr. Rambat added that this was not to assist them financially, but to improve safety. Mr. Rambat commented that this would be on a City right-of-way.

- **Sanitation:**

Mr. Rambat informed the Commission that Mr. Lonnie Wright, Sanitation Superintendent, had retired at the end of the year and he had rearranged things in that department. Mr. Rambat stated that this was a good crew and added that they elect to work holidays so that they did not get behind. Commissioner Peters asked if they were fully staffed. Mr. Rambat stated that they were, but the street department had some openings.

- **Lemon Park bathroom:**

Commissioner Peters asked about the new bathroom at Lemon Park. Mr. Rambat stated that the ADA ramp bids had come in under \$10,000; therefore, City Manager Pinkall had approved that project.

Building Inspections:

- **4th Street abatement:**

Building Inspector Blankenship stated that he had gotten one of the houses done today that he had been working on all of 2019. Mr. Blankenship added that it was with the help of City Manager Pinkall, Public Works Director Rambat and a couple of officers. Mr. Blankenship explained that the first half went well, but the second half did not, which resulted in law enforcement being called. Mr. Blankenship commented that they had taken out two wheat truck loads to the dump and a 28' flatbed trailer that we had to keep for thirty days. Mr. Blankenship stated that they had gotten it cleaned up and he added that he felt they had succeeded.

- **Lemon Park bathroom heaters:**

Mr. Blankenship explained to the Commission that the bathroom that they had ordered for Lemon Park was spec'd with heaters included, but they did not come with them. Mr. Blankenship stated that he knew that the Commission wanted the restrooms to be open 365 days, but they had been closed until the heaters were installed. Mr. Blankenship commented that he had talked to the company and the heaters had come in. Mr. Blankenship stated that he had visited with an electrician about the installation and he added that the electrician would be paid by the company.

Mayor Schmidt questioned if we had been reimbursed through grant money. Finance Director Garten stated that we had not, but should be once the ramp project was finished. Mr. Blankenship commented that they were spec'd with hand rails and we would be able to turn it in when those had been installed. Mayor Schmidt asked how close we were to the original bid. Mr. Blankenship stated that the whole bid was around \$244,000 and was a 50/50 match and we were not going to come close. Ms. Garten stated that there were originally two bathrooms, so we might be able to apply for other grant funds. Mr. Rambat added that some of the utilities would be able to piggy back from the first. Mr. Blankenship stated that spending the extra money for paint was well worth it, because they were able to wash off dirt and graffiti.

Electric Department:

- **2019 in review:**

Director of Electric Utilities Huber stated that he would have a review from 2019 projects for the Commission in the next week or so. Mr. Huber commented that they would be able to see a little of what each department did.

Police Department:

- **Academy:**

Police Chief Humble stated that Officer Jarod Gilmore was now at the academy and he would graduate in April.

- **Dispatch Supervisor:**

7 – January 13, 2020 (Regular Commission meeting)

Chief Humble stated that Mr. Walter Stockwell had been promoted to the Dispatch Supervisor and there was a new dispatcher starting today.

- **Cash Forfeiture:**

Chief Humble commented that they had seized some cash from a drug stop. Chief Humble stated that it was in the hands of the County Attorney until she released it back to the City Police Department. Mayor Schmidt asked if it would go into that pool. Chief Humble stated that it would not.

Finance Department:

- **2019:**

Finance Director Garten stated that she was busy finishing out 2019. Ms. Garten commented that the early indications were that we were in a good position; however, she would know more after recording the payables and incumbrances.

Ms. Garten stated that sales tax for December was in the packet and she saw a positive trend.

Mayor and Commission:

- **Train delays:**

Commissioner Meyer stated that there was a railroad crossing issue and a delay in traffic on North Main Street. Commissioner Meyer commented that there was nothing we could do but to complain nationally. Chief Humble stated that they were to be notified if it would be more than ten minutes, so first responders knew to take a new route. Chief Humble added that dispatch and the police department had a contact number; therefore, people needed to get hold of them.

- **Thanks from Commissioner Meyer:**

Commissioner Meyer thanked everyone for their comments and he thanked the staff for letting him be Mayor for two years. Commissioner Meyer commented that it had given him an opportunity to get to know everyone and he appreciated all that the staff did. Commissioner Meyer explained that there were individual talents and, putting them all together, made for a great team. Commissioner Meyer stated that he appreciated the staff's patience and the education he had received and that they were all nice and friendly.

- **Leapfrog Organization:**

Commissioner Peters stated that PRMC had been one of eight hospitals to receive an A rating from the Leapfrog Organization. Commissioner Peters commented that we were fortunate to have them in our community.

- **Part of a team:**

Mayor Schmidt stated that he had been involved in a lot of organizations, but this bunch of people were the best group he had ever worked with. Mayor Schmidt commented that they get things done, were trustworthy, dedicated and smart. Mayor Schmidt added that the people under you help make you who you are and he was really proud to be a part of this team.

8 – January 13, 2020 (Regular Commission meeting)

Executive Session:

Mayor Schmidt made a motion to enter into executive session for non-elected personnel to last fifteen minutes starting at 6:22 p.m. The motion was seconded by Commissioner Meyer and carried unanimously.

Mayor Schmidt made a motion to return from executive session at 6:37 p.m. with nothing to report. The motion was seconded by Commissioner Leslie and carried unanimously.

ADJOURN:

Commissioner Meyer made a motion to adjourn. The motion was seconded by Commissioner Leslie and carried unanimously.

Gary A. Schmidt, Mayor



ATTEST:

LuAnn Kramer, City Clerk